

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

KEITH L. CARNES,

Defendant.

Case No. 16-00301-01-CR-W-DGK

**GOVERNMENT'S NOTICE OF  
EXPERT TESTIMONY UNDER RULE 16(a)(1)(G)**

The United States of America, by and through its undersigned counsel, pursuant to Rule 16(a)(1)(G) of the Federal Rules of Criminal Procedure, hereby provides notice of its intention to offer the following expert testimony at trial, and respectfully requests reciprocal discovery from defendant Keith L. Carnes, of expert testimony and other evidence the defendants intend to offer at trial, pursuant to Fed. R. Crim. P. Rule 16(b)(1)(C).

1. **Nicole Blackwell** is a Bloodstain Pattern Analysis Technical Leader with the Kansas City, Missouri Police Crime Laboratory. A copy of Ms. Blackwell's curriculum vitae was provided to the defendant's counsel via email on September 23, 2019. Ms. Blackwell's area of expertise is biological screening, serology, and bloodstain pattern analysis. Ms. Blackwell's opinions are reflected in the laboratory reports produced in discovery, marked as Bates 00569-00570, 00632-00633, 01651-01677, 01771-01789, 01915-01917, and 02818-02820. In addition to the opinions identified in the aforementioned reports, Ms. Blackwell is expected to testify that she applied a swab to the interior portion of the magazine (Item # 7314-01.4) without removing the live rounds that were in the magazine (interior to firearm when magazine was in place). Ms.

Blackwell used the swab in an effort to potentially capture a DNA sample for future comparative analysis. Based on her physical observations, it is Ms. Blackwell's expert opinion that the swab sample she took from the magazine (Item # 7314-01.4) did not contain blood. Ms. Blackwell then processed the swab she utilized for future DNA comparative analysis by the laboratory.

2. **Shawna Hawkins** is a Senior Criminalist/DNA Analyst with the Kansas City, Missouri Police Crime Laboratory-Biology Section. Ms. Hawkins's area of expertise is DNA analysis. A copy of Ms. Hawkins's curriculum vitae was provided in discovery (Bates 00840-00842). Ms. Hawkins's opinions are reflected in the laboratory reports produced in discovery, marked as Bates 00581-00582, 00634-00635, 01656-01664, 01908-01909, 01915-01959, 02188-02217, 02252-02280, 02310-02338, 02368-02396, and 02416.

3. **Jack Jensen** is a Medical Technologist and he is the Director of the medical laboratory at Research Medical Center located in Kansas City, Missouri. Mr. Jensen has been employed at the Research Medical Center for approximately 39 years and has served as the Director of the laboratory for approximately 12 years. In that role, he is responsible for managing and overseeing all of the laboratory activities at the Research Medical Center as well as the processing and analysis of samples received from numerous local hospitals. Mr. Jensen is expected to provide expert testimony relating to the following topics: how and why the Research Medical Center obtains urine samples from patients reporting to the Emergency Room as a result of trauma; how the hospital maintains urine samples for analytic testing; how the hospital utilizes MobiLab to assign patient-specific bar codes to specimens to ensure positive patient identification for analytic testing; how the laboratory tests urine samples to include drug screening as prescribed by law in specific instances, specifically the use of a chemistry immunoassay analyzer; how the results of such testing are recorded and maintained in medical records; the expected false positive

rate for such drug screening (expected 8% false positive rate or a 92% reliability rate); and how long controlled substances typically remain in urine after use. Additionally, Mr. Jensen is a business custodian for the hospital and is in a position to lay the foundation for medical records identified in discovery as Bates 00874-01068 (a self-authenticating certification declaration laying the foundation for these business records was previously provided to the defense via an email on September 26, 2019). For medical records directly related to the defendant, Mr. Jensen is expected to testify about the drug screening of the urine sample taken from the defendant that was analyzed by the Research Medical Center laboratory and the results of the testing were memorialized in the medical record Bates-marked as 00884.

4. **Alexis Lalli** is a Forensic Specialist with the Kansas City, Missouri Police Crime Laboratory-Firearms Section. Ms. Lalli's area of expertise is in firearms and comparative analysis of spent ammunition casings and bullets. A copy of Ms. Lalli's curriculum vitae was provided in discovery (Bates 00835-00839). Ms. Lalli's opinions are reflected in the laboratory reports produced in discovery, marked as Bates 00575-00597, 00636-00638, 00869, 00872-00873, 01071-01075, 01754-01832, 01859-01885, 01981-02007, 02786-02804, and 02806-02845.

5. **Kristen L. McCannon** is a Forensic Specialist IV (Chemist) with the Kansas City, Missouri Police Crime Laboratory-Chemistry Division. Ms. McCannon's area of expertise is forensic chemistry for seized drugs. A copy of Ms. McCannon's curriculum vitae was provided in discovery (Bates 00852-08854) and via an email to defense counsel. Ms. McCannon's opinions are reflected in the laboratory reports produced in discovery, marked as Bates 00640-00641, 00704-00705, 01614-01615, 01670-01671, 01699-01700, 01704, 01705-01732, 01798-01800, 01812-01814, 01867-01870, 01880-01883, 01923-01924, 01988-01991, 01999-02002, 02066-2067, 02417-02419, 02423-02428, 02827-02831, and 02836-02839.

6. **Robert Millier** is a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives. Mr. Millier's area of expertise is firearms and ammunition classification. A copy of Mr. Millier's curriculum vitae was previously provided to defense counsel via an email dated September 23, 2019. Mr. Millier is expected to testify that a Bersa Thunder, .380 caliber semi-automatic handgun, bearing Serial Number B62778 and a Glock, Model 21, .45 caliber pistol, Serial Number TES665 that were collected in evidence in this case were not manufactured in Missouri and, as they were found in the State of Missouri, they necessarily traveled in interstate commerce. Mr. Millier's opinions are reflected in the report of investigation produced in discovery and Bates-stamped CARN\_02854.

### **CONCLUSION**

The Government respectfully requests that the Court accept the Government's notice of expert testimony as aforementioned experts be permitted to testify as summarized above. The Government reserves the right to supplement this notice as circumstances require.

Respectfully submitted,

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By /s/William A. Alford III

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was delivered on October 3, 2019, to the Electronic Filing System (CM/ECF) of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

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/s/William A. Alford, III

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